

House File 2265 - Introduced

HOUSE FILE 2265

BY WOLFE

A BILL FOR

1 An Act relating to driver's license sanctions imposed for a
2 first violation of requirements for meeting or overtaking a
3 school bus, and including effective date provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. SCHOOL BUS SAFETY VIOLATIONS — DRIVER
2 IMPROVEMENT PROGRAM OPTION FOR FIRST OFFENSE. Notwithstanding
3 2012 Iowa Acts, chapter 1015, section 5, subsection 2, by
4 July 1, 2014, the department of transportation shall initiate
5 rulemaking by amending 761 IAC 615.43 to include a person
6 who is convicted for a first violation of section 321.372,
7 subsection 3, among the persons who may be required, in lieu
8 of driver's license suspension, to attend and successfully
9 complete, at the person's own expense, a driver improvement
10 program approved by the department, subject to all other
11 provisions of 761 IAC 615.43.

12 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
13 immediate importance, takes effect upon enactment.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with
16 the explanation's substance by the members of the general assembly.

17 Under Code section 321.372, subsection 3, the driver of a
18 vehicle, when meeting a school bus with flashing amber lights,
19 must reduce the vehicle's speed, come to a complete stop when
20 the school bus stops and the stop signal arm is extended, and
21 remain stopped until the signal arm is retracted. A driver
22 of a vehicle overtaking a school bus shall not pass the bus
23 when red or amber warning lights are flashing. The driver must
24 stop no closer than 15 feet from the school bus when the school
25 bus is stopped with the stop signal arm extended and remain
26 stopped until the signal arm is retracted and the school bus
27 resumes motion. The penalty for a person convicted of a first
28 violation is a simple misdemeanor punishable by a fine of at
29 least \$250 but not more than \$675 or by imprisonment for not
30 more than 30 days, or by both. A second or subsequent offense
31 is a serious misdemeanor.

32 Pursuant to 2012 Iowa Acts, chapter 1015, section 5, the
33 department of transportation has established by administrative
34 rule that a violation of requirements for meeting or overtaking
35 a school bus by the driver of a motor vehicle is a serious

1 violation of motor vehicle laws, subjecting the violator to
2 an increasing tier of driver's license suspensions for first,
3 second, and subsequent offenses. Under current law, when a
4 person's driver's license is suspended, that person is required
5 to show and maintain proof of financial liability coverage with
6 respect to all motor vehicles registered in the person's name
7 for two years.

8 This bill directs the department of transportation to
9 initiate rulemaking by July 1, 2014, to allow the department
10 to require a person convicted of a first violation of
11 requirements for meeting or overtaking a school bus to attend
12 and successfully complete a driver improvement program in lieu
13 of suspending the person's driver's license. The department
14 currently may require completion of a driver improvement
15 program as an alternative to license suspension for habitual
16 violators, persons convicted of certain speeding violations,
17 and persons who commit a moving violation during a probationary
18 period following a license suspension or revocation. A
19 person who completes the program must then complete a one-year
20 probationary period without committing a moving violation.

21 The bill takes effect upon enactment.